

1 JOHN CAMPOLO,

2 No. C 10-5634 CW

3 Plaintiff,

4 ORDER DENYING
5 PLAINTIFF'S
6 AMENDED
7 ADMINISTRATIVE
8 MOTION FOR A
9 SEALING ORDER,
10 Docket No. 44.

v.

11 AETNA LIFE INSURANCE COMPANY;
12 OFFICE DEPOT TEMPORARY DISABILITY
13 PLAN; OFFICE DEPOT LONG TERM
14 DISABILITY PLAN,

15 Defendants.

16 On April 4, 2012, Plaintiff filed an amended administrative
17 motion to seal, pursuant to Local Rule 79-5(d). It was not
18 evident that Plaintiff had served unredacted versions of the Trial
19 Brief and Exhibit D on Defendant Aetna Life Insurance Company,
20 such that it could review the motion and submit a declaration,
21 pursuant to Rule 79-5(d), if it wished to support the motion to
seal.

22 Accordingly, on April 5, 2012, the Court ordered Plaintiff to
23 file a certificate of service within one day, confirming that he
24 had served on Defendants the unredacted versions of the brief and
25 Exhibit D. The Court stated that it would allow Aetna to respond
26 to the motion to seal within seven days after Plaintiff's filing
27 of proof of service.

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1 Later on April 5, 2012, Plaintiff efiled a declaration
2 confirming the required service. Aetna has failed to file a
3 declaration in support of the motion to seal, as required under
4 Rule 79-5(d). Therefore, the motion to seal is denied.

5 Under Local Rule 79-5(e), when a motion to seal is denied in
6 full, "the submitting party may retain the document and not make
7 it part of the record in the case, or within 4 days, re-submit the
8 document for filing in the public record." Accordingly, within
9 four days Plaintiff must either withdraw his brief and Exhibit D
10 from the record or file unredacted versions of these items.

11 IT IS SO ORDERED.

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13 Dated: 4/16/2012


CLAUDIA WILKEN
United States District Judge